

FILED
U.S. DISTRICT COURT
DISTRICT OF WYOMING
2021 AUG 30 PM 2:11
MARGARET DOTKINS, CLERK
CHEYENNE

UNITED STATES DISTRICT COURT
DISTRICT OF WYOMING

UNITED STATES OF AMERICA,

Plaintiff,

v.

JOSIAH D. JURICH,

Defendant.

CRIMINAL COMPLAINT

Case Number: 21MJ-52-S

I, the undersigned complainant, being duly sworn, state the following is true and correct to the best of my knowledge and belief.

COUNT ONE

On or about August 20, 2021, in the District of Wyoming, the Defendant, **JOSIAH D. JURICH**, did threaten to assault and murder D.S., a Forest Service employee, with the intent to impede, intimidate, and interfere with D.S. while he was engaged in the official performance of his official duties and with the intent to retaliate against D.S. on account of the performance of his official duties.

In violation of 18 U.S.C. § 115(a)(1)(B).

I further state that I am a Special Agent with the US Forest Service and that this complaint is based on the following facts: *(See attached for Count Two and Sworn Statement)*

Continued on the attached sheet and made a part hereof.



Signature of Complainant
HANNAH NADEAU

Sworn to before me and subscribed via telephone,

August 30, 2021

Date

at

Cheyenne, Wyoming

City and State

HON. ALAN B. JOHNSON

United States District Court Judge

Name & Title of Judicial Officer



Signature of Judicial Officer

COUNT TWO

On or about August 20, 2021, in the District of Wyoming, the Defendant, **JOSIAH D. JURICH**, did willfully damage, injure, and commit a depredation against, and attempt to damage, injure, and commit a depredation against, property belonging to the United States and to the United States Forest Service, to wit: a US Forest Service Chevy Colorado truck, and the resulting damage did not exceed \$1,000.00.

In violation of 18 U.S.C. § 1361.

**SWORN STATEMENT IN SUPPORT OF CRIMINAL COMPLAINT
SPECIAL AGENT HANNAH NADEAU
U.S. v. JOSIAH D. JURICH**

I, Hannah Nadeau being first duly sworn, hereby depose and state as follows:

INTRODUCTION AND AGENT BACKGROUND

1. I am a Special Agent with the United States Forest Service (USFS), assigned to the Rocky Mountain Region and stationed in Laramie, Wyoming. I have been a Special Agent since March 2021. I was employed with the USFS as a Law Enforcement Officer from October of 2014 to March 2021. Prior to this, I was a seasonal Law Enforcement Trainee in 2013 and 2014. I graduated from the Federal Law Enforcement Training Center (FLETC) Criminal Investigator Training Program (CITP) July 2021. This program was approximately 12 weeks long and was a comprehensive law enforcement training program which taught investigative techniques, constitutional and federal law, evidence collection, interviewing techniques, and control and defensive tactics. I previously additionally attended the Land Management Police Training Program (LMPT) at the FLETC and graduated in February 2015. This program is a police training program specifically focused on land management policing and generally taught the same information as CITP, but with an emphasis on uniformed policing.

2. I have a Bachelor of Science degree from Utah State University in Recreation Resource Management (May 2014 graduation) and an Associate of Science degree from Salt Lake Community College in Criminal Justice (August 2014 graduation). My primary duties as a special agent are investigating violations of federal laws and regulations which protect National Forest System lands and resources. I also investigate crimes against United States Forest Service employees and property owned by the United States Forest Service. I am authorized under Title 16 United States Code Section 559 and 559(c) to conduct investigations, execute warrants, and

make arrests for offenses committed within the National Forest Service System or which affect the administration of the National Forest System.

PROBABLE CAUSE

3. On August 20, 2021, I received a report that a Forest Service employee had been involved in an incident on Forest Service lands along the Beartooth Highway (US Highway 212). I responded to Cody, Wyoming to begin an investigation. During my investigation, I obtained the following information:

4. On August 20, 2021, shortly after 9:00 AM, Forest Service employee D.S. was waiting at a stoplight on the Beartooth Highway (US Highway 212) near Forest Service Road 142 at Clay Butte. This is located on the Shoshone National Forest in the District of Wyoming. D.S. was driving a white Chevrolet Colorado with US government plates. In addition to the government license plates, the plates displayed the words, "U.S. Government For Official Use Only" and the US Department of Agriculture (USDA) logo. Both sides of D.S.'s vehicle had a Forest Service shield and lettering above the shield said, "For Official Use Only U. S. Government." D.S. is a seasonal Forest Service Forestry Technician, responsible for collecting fees and donations at Forest Service sites. D.S. was wearing an official Forest Service uniform, including a tan shirt with a Forest Service shoulder patch and a name tag.

5. US Highway 212 is a two-lane highway, with one lane going in each direction and no median or turn lane. This highway was undergoing road construction and the stoplight D.S. was stopped at was to manage one lane traffic through the construction zone. Pilot cars led vehicles through the construction, alternating eastbound and westbound traffic. Eastbound vehicles would wait in line at the Clay Butte stoplight up to 30 minutes for the pilot car to lead them through the construction. Candlestick shaped traffic cones divided the two lanes to manage traffic approaching

the stoplight. Clay Butte was on the western end of the road construction project and a road flagger managed the stoplight and was stationed on Forest Service Road 142.

6. There were approximately six vehicles ahead of D.S.'s vehicle, and he observed a truck behind him and noted its digital camouflage color. As D.S. waited at the stoplight, he rolled his window down and reached out to move a cone that was slightly into the lane of traffic. As he did this, the man (later identified as Josiah JURICH) in the truck behind D.S.'s suddenly exited his vehicle. According to a witness, JURICH jumped out of his truck and aggressively approached D.S.'s vehicle. When asked to explain how JURICH was aggressive, the witness stated that his shoulders were back, and it was like he was trying to make himself bigger. D.S. said that the man approached his vehicle and came to just outside arm's reach from it. When JURICH reached D.S.'s vehicle, he yelled, "Hey funny man, what's up with all the hand gestures?" D.S. responded that he did not know what he was talking about.

7. JURICH continued to yell and approach the truck. D.S. locked the doors and rolled up the window because JURICH attempted to open his door by pulling on the handle. JURICH used his hands to strike D.S.'s window on the driver's side. D.S. drove from his location on the highway to the entrance to Forest Service Road 142, approximately 30 yards away and pulled his vehicle in behind the worker who was parked there. JURICH followed D.S. onto the Forest Service road, driving quickly. D.S. believed that JURICH was going to ram the Forest Service vehicle because of how quickly JURICH drove towards his vehicle. JURICH stopped his vehicle approximately one foot from the Forest Service vehicle, rapidly exited, slammed his door, and took approximately two steps before reaching D.S.'s vehicle.

8. JURICH approached the passenger side of D.S.'s vehicle and grabbed the door handle and pulled on it. JURICH pulled with such force that the exterior passenger door handle

came off the door. JURICH struck the vehicle windows with his hands and the door handle. Witnesses stated that as JURICH delivered strikes he was yelling, "I'm going to fucking kill you!" "I'll kill you mother fucker!" "I'll kill you next time!" and "I'll fucking kill you!" repeatedly. JURICH used the word "fuck" repeatedly as he yelled at D.S. JURICH hit the windows so hard with that the window bowed inward. Witnesses stated they were surprised that the window did not break. D.S. said that JURICH moved so fast, he believed that if he had attempted to leave his vehicle, he would have been sucker punched. JURICH had an attack posture and D.S. further described that he was squared up and in a fighting stance with his fists clenched in front of him. D.S. said, "When he said he wanted to kill me, I believed it."

9. D.S. moved his truck closer to the construction flagger's vehicle, then almost parallel to JURICH's vehicle. JURICH followed him on foot. After D.S. moved to an almost parallel position to JURICH's vehicle, JURICH walked away and returned to his vehicle. He then returned to D.S.'s vehicle again. At this point, witnesses attempted to intervene and deescalate JURICH.

10. D.S. stated that JURICH was no danger to anyone else but was dead set on getting him (D.S.). As this attack was occurring, D.S. used his Forest Service radio to notify the Forest Service office what was happening so they could contact law enforcement. He relayed a vehicle description and the vehicle license plate (Arizona Purple Heart plate: S3A72A). A video taken by a witness towards the end of the encounter shows JURICH was driving a Toyota Tacoma with a digital camouflage type pattern vehicle wrap covering most of it except some of the passenger side. Portions of the passenger side of the vehicle were not covered in the vehicle wrap and instead were painted blue and appeared to be the factory paint. There was a tan fabric topper on the bed of the truck. JURICH was temporarily visible in the video and was wearing what appear to be a

blue baseball cap, a dark colored hooded jacket, tan pants, dark socks, and flip flops. Another video shows JURICH yelling and hitting the driver's side window of D.S.'s vehicle immediately before a witness intervened. Video evidence recovered after a search warrant shows that JURICH told this witness, "He's a dead man next time" before re-entering his vehicle. Later, he is seen on video, holding up a pistol and saying "Look at this shit, they're fucking with me. They're shooting at me in the campsites." JURICH had one other handgun and what was determined to be an AR platform pistol visible in the front passenger seat. The video evidence shows a magazine in the AR platform pistol. Additionally, the witness described seeing what she called "body armor" which she described as a stiff gray or tan vest that had mesh/was woven and not for keeping warm. Her description indicated that this was some sort of tactical vest carrier which may be capable of holding ballistic plates or panels. The witness was able to talk to JURICH until he calmed down.

11. Another witness stated that JURICH repeatedly made statements against the government and said he was, "Sick and tired of the government hassling him," "Sick of the government shooting bullets over his head" and saying everyone was against him. JURICH also claimed D.S. was violating his oath as a government employee. JURICH eventually left, heading westbound on the US Highway 212 towards Wyoming Highway 296. JURICH stated he was going to Cody to file a police report.

12. Park County Sheriff's Office Deputy Tom Toohey contacted JURICH and arrested him at the Dead Indian Overlook along Wyoming Highway 296. JURICH's vehicle (a Toyota Tacoma, with Arizona Purple Heart plate S3A72A, with digital camouflage vehicle wrapping and blue paint on some portions of the passenger side of the vehicle, and a tan topper) was towed to Eagle Recovery. D.S. drove his Forest Service vehicle to Cody. As he drove to Cody via

Wyoming Highway 296, D.S. observed JURICH's vehicle and recognized it as the same vehicle JURICH was driving when they were at Clay Butte earlier.

13. Video evidence recovered after the execution of a search warrant on two cameras located in JURICH's vehicle showed that immediately proceeding the event, JURICH appeared to be traveling east on US Highway 212. JURICH says, "So this government employee decided to make a little fucking gesture in response to that videos. I'm gonna fuck his day up!" He then drives at a high rate of speed and ends up immediately behind a government vehicle after driving for approximately 30 seconds. This vehicle is later seen in the videos to bear government license plate A374002. This government vehicle was the vehicle D.S. was driving. In the videos, JURICH follows the vehicle and continues to make comments about a gesture he believes D.S. made, and JURICH references some unknown videos. He then says, "This guy's a government employee, he wants to fuck with me. Looks like there might be two in there. So I'm sick of this shit, these people are unprofessional, they're violating their oath, they're violating the law, and I'm fucking sick of it!" There is a slight pause and he says, "fucking kill you," makes a couple sounds like "pah pah" and then says, "mother fucker." He continues driving behind D.S., occasionally muttering things that are difficult to discern. Approximately six minutes into the video, he starts ranting about being called a "fag" and a "pedophile" and says he's been followed and harassed through multiple states. He then says, "And this goddamn fuck wants to fuck with me out in the middle of nowhere. I guess he doesn't realize how easy it would be for me to fucking merk his fucking ass." SA NADEAU knows that merk is slang for kill. D.S. then begins to drive into the beginning signage for the construction area on US Highway 212, with JURICH following close behind him saying to the camera, "I'm so sick of this goddamn shit, the fact that federal employees get to act like this without any, zero, zero response!" He then claims to have reported unknown

federal employees to multiple federal agencies. D.S. and JURICH approach the stopped traffic at the stoplight at Clay Butte.

14. After JURICH exits his vehicle, he yells, "Got something you want to say funny man?" The audio on the video is hard to hear after JURICH is out of the vehicle, but you can distinguish "fuck you" and "get the fuck out you piece of shit" as JURICH yanks on the door handle to D.S.'s vehicle at least three times and hit the window with the palm of his hand, hard enough to hear on the camera inside JURICH's vehicle. After D.S. drives onto Forest Service Road 142, JURICH follows him for a few steps, yells what sounds like, "Fuck you, I'll fucking kill you!" then turns and returns to his own vehicle. He enters his vehicle and drives towards D.S.'s vehicle at a high rate of speed, the tires squealing as he enters Forest Service Road 142. He stops just short of D.S.'s vehicle, exits, runs towards D.S.'s vehicle, and uses the entire weight of his body to attempt to open the passenger side door of D.S.'s vehicle. The handle breaks off in JURICH's hand and he uses it to hit D.S.'s window. D.S. backs up and JURICH followed, yelling, "Fuck you! Next time I'll kill your ass!" JURICH returns to his vehicle and retrieves something, then runs back to D.S.'s vehicle. He is then heard saying, "What are you filming bitch?" to the witness who intervened. The witness yells what sounds like "Watch out!" and, "What's happening?" and much of the remaining conversation is difficult to hear but ends with witnesses de-escalating JURICH. After JURICH drives away from the area, he is seen on one of the cameras unloading the AR platform pistol and putting two handguns in the glovebox and locking it. He also says, "the cops are looking for us" apparently to his dog.

END OF SWORN STATEMENT

PENALTY SUMMARY

DEFENDANT NAME: **JOSIAH D. JURICH**

DATE: August 30, 2021

INTERPRETER NEEDED: No

VICTIM(S): Yes

OFFENSE/PENALTIES:

Ct: 1 18 U.S.C. § 115(a)(1)(B)
(Threats Against a Federal Law Enforcement Officer)

0-10 Years Imprisonment
Up To \$250,000 Fine
3 Years Supervised Release
\$100 Special Assessment

Ct: 2 18 U.S.C. § 1361
(Injury or Depredation to United States Property)

Not more than one year
Up To \$1,000 Fine
Not More Than One Year Supervised Release
\$25 Special Assessment
Class "A" Misdemeanor

TOTALS:

0-11 Years Imprisonment
Up To \$251,000 Fine
4 Years Supervised Release
\$125 Special Assessment
Class "C" Felony

AGENT: Hannah Nadeau, USFS

AUSA: Michael J. Elmore, Assistant United States Attorney

ESTIMATED TIME OF TRIAL: 1 to 5 days

**WILL THE GOVERNMENT
SEEK DETENTION IN THIS
CASE:**

Yes

**ARE THERE DETAINERS
FROM OTHER
JURISDICTIONS:**

No